

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

TROY ALLON SNOOK,

Plaintiff,

v.

CALVIN JOHNSON, *et al.*,

Defendants.

Case No. 3:23-cv-00338-MMD-CLB

ORDER

Following screening of his Complaint, pro se Plaintiff Troy Allon Snook, who is formerly an inmate incarcerated at High Desert State Prison (“HDSP”), is permitted to proceed on two claims under 42 U.S.C. § 1983. (ECF Nos. 8, 9.) Defendants filed a motion for summary judgment on May 2, 2025. (ECF No. 37) (“Motion”). On May 5, 2025, the Court gave Snook notice of Defendants’ Motion pursuant to the requirements of *Klinge v. Eikenberry*, 849 F.2d 409 (9th Cir. 1988), and *Rand v. Rowland*, 154 F.3d 952 (9th Cir. 1998). (ECF No. 41.) Snook did not timely file a response, so the Court *sua sponte* granted Snook an extension of time to file his response. (ECF No. 43.) To date, Snook has failed to file an opposition to the Motion. Before the Court is the Report and Recommendation (“R&R”) of United States Magistrate Judge Carla L. Baldwin (ECF No. 44), recommending that the Court grant Defendants’ Motion. Snook had until August 1, 2025, to file an objection to the R&R. To date, no objection has been filed. For this reason, and as explained below, the Court adopts the R&R in full and dismisses this action.

Because there is no objection, the Court need not conduct de novo review. See *United States v. Reyna-Tapia*, 328 F.3d 1114, 1116 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and recommendations is required if, but *only* if, one or both parties file objections to the findings and recommendations.”) (emphasis in original). Here, Judge Baldwin recommends granting Defendants’ Motion as to Snook’s failure to


1 protect claim because according to undisputed evidence, Defendants were never
2 informed of any threat or danger to Snook. (ECF No. 44 at 8.) Moreover, Defendants met
3 their initial burden on summary judgment by showing the absence of evidence supporting
4 Snook's failure to protect claim. (*Id.*) Snook has failed to produce evidence that HDSP
5 had a practice, or knew about a practice, of ignoring call buttons beyond his own
6 assertions, and he has admitted that he has no such evidence through his non-answer to
7 Defendants' Requests for Admission. (*Id.*) Additionally, Judge Baldwin recommends
8 granting Defendants' Motion as to Snook's deliberate indifference to serious medical
9 needs claim because Defendants submitted authenticated evidence that they
10 affirmatively treated Snook's medical conditions, and Snook has failed to produce any
11 evidence beyond his own allegations to create an issue of fact as to whether Defendants
12 deliberately denied, delayed, or intentionally treated his medical condition. (*Id.* at 11-12.)
13 Having reviewed the R&R and the record in this case, the Court is satisfied Judge Baldwin
14 did not err. The Court will adopt the R&R in full.

15 It is therefore ordered that Judge Baldwin's Report and Recommendation (ECF
16 No. 44) is accepted and adopted in full.

17 It is further ordered that Defendants' motion for summary judgment (ECF No. 37)
18 is granted.

19 The Clerk of Court is directed to enter judgment accordingly and close this case.

20 DATED THIS 12th Day of August 2025.

21 
22 _____
23 MIRANDA M. DU
24 UNITED STATES DISTRICT JUDGE
25
26
27
28